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OFFICE OF PETITIONS

In re Application of
Robert J. Tuttle
Application No. 09/805,187
Filed: March 13, 2001
Attorney Docket No. PC-738-CIP

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed on March 7, 2006, to revive the above-identified application.

The application became abandoned for failure to timely respond to the Notice of Allowance and Fee(s) Due mailed September 27, 2005. A Notice of Abandonment was mailed on February 27, 2006.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of \$700 for payment of the issue fee and \$300 for payment of the publication fee; (2) the petition fee of \$750; and (3) an adequate statement of unintentional delay. Therefore, the petition is **GRANTED**.

The Office also acknowledges receipt of \$30 for ten (10) advance soft copies filed on March 7, 2006.

This application file is being referred to the Office of Publications to be processed into a patent.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.


Andrea Smith

Petitions Examiner
Office of Petitions